

REMARKS

By this amendment, the limitation of claim 6 has been moved into claim 1, and claim 6 has been canceled. The dependency of claim 7 has also been changed.

Claim 6 was rejected under 35 U.S.C. §103(a) over Mori ('031) in view of Li et al. ('620). Claim 6 includes the limitation of a mechanism for mounting the illuminator housing to a wearer's head, a configuration which the Examiner calls "obvious" "for the benefit and advantage dynamic adjustment [sic] of the field of illumination." Applicant respectfully disagrees.

Note that the illumination device of Mori is used to illuminate the interior of a room. As such, Mori expects lens diameters on the order of 30 centimeters (about a foot). It would be clear to anyone of skill in the art that the assembly of Mori is intended for permanent installation in a room, and would never be head worn. If a proposed combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obviousness. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). Moreover, if a proposed combination would render the prior art unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Based upon the foregoing amendments and comments, Applicant believes all claims are in condition for allowance. Questions regarding this application may be directed to the undersigned attorney by telephone, facsimile or electronic mail.

Respectfully submitted,

By: 

Dated: February 28, 2005

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